



City of El Paso – City Plan Commission Staff Report

*****REVISED*****

Case No: PZDS16-00002
Application Type: Detailed Site Development Plan Review
CPC Hearing Date: February 25, 2016
Staff Planner: Joaquin Rodriguez, 915-212-1608, rodriguezjx3@elpasotexas.gov

Location: 3524 George Dieter Drive
Legal Description: All of Lot 9, Block 4, Hueco View Acres, City of El Paso, El Paso County, Texas
Acreage: 1.7079
Rep District: 5
Current Zoning: C-3/c/sc (Commercial/condition/special contract)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: Conditions imposed by Ordinance No. 16719, dated August 14, 2007, and Ordinance No. 9126 dated august 11, 1987
Request: Detailed Site Development Plan Review
Proposed Use: Car Wash

Property Owner: Dominguez Properties LTD
Representative: Tommy Razloznik

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential) / Vacant
South: C-1/sc (Commercial/special contract) / Parochial School
East: R-3 (Residential) / Single Family Residential
West: R-3 (Residential) / Single Family Residential

PLAN EL PASO DESIGNATION: G-4, Suburban (Walkable) (East Plan Area)

NEAREST PARK: Indian Ridge City Park (1,800 feet)

NEAREST SCHOOL: Pebble Hills Elementary School (3,060 Feet)

NEIGHBORHOOD ASSOCIATIONS

Eastside Civic Association

NEIGHBORHOOD INPUT

Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, *Notice of the El Paso City Code*.

CASE HISTORY

On August 11, 1987, City Council approved Ordinance No. 9126, rezoning the subject property and imposing the following conditions:

1. The property owner must dedicate thirty (30) feet of right-of-way for the widening of George Dieter Drive at the time the rezoning request is approved by the Mayor and City Council.
2. The property owner must improve George Dieter Drive to City standards within one (1) year from the date of this contract or upon demand by the City.
3. Prior to the issuance any building permits, a subdivision replat must be filed of record with the County Clerk.
4. Prior to the issuance of a certificate of occupancy, the property owner must provide a 15-foot wide landscaped strip adjacent to George Dieter Drive.

5. The property shall not be used for a bar, an adult book store, adult motion picture theatre, nude live entertainment club or amusement game complex.
6. Prior to the issuance of any building permits, a detailed site development plan must be approved by the City Plan Commission and the Mayor and City Council.

At the time of this request, conditions 1 thru 5 have been met. The present detailed site development plan review has been submitted to fulfill Condition #6.

Additionally, the proposed development is subject to conditions imposed by a rezoning ordinance #16719 approved by city council August 14, 2007:

The following uses are strictly prohibited:

1. *Automobiles, light trucks, buses, motorcycles and boats, sales, storage, rental and service;*
2. *Hotel, motel or motor lodge;*
3. *Transportation terminal;*
4. *Trailer, mobile home, travel trailer and recreational vehicle sales, display and repair;*
5. *Travel trailer or mobile home park;*
6. *Self-storage warehouse;*
7. *Outdoor flea market.*

The proposed development, car wash, does not violate any of the above prohibited uses.

APPLICATION DESCRIPTION

The detailed site development plan shows one proposed car wash facility. The main building is 4,572 square feet with a 107 square foot cashiers booth. The site requires 10 parking spaces and is providing 19, including 1 van accessible disabled space and 3 bike rack spaces. The proposed development requires a minimum of 10,474 square feet of landscaping and provides 22,054 square feet. Access is proposed from George Dieter Drive via two proposed driveways. The main building is set back 110 feet and 11 inches from the residential zoning districts to the north.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan and 20.10.120, Carwash Facilities.

ANALYSIS

20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

A detailed site development plan review is required due to a condition imposed on the subject property. Ordinance No.9126 requires that a detailed site development plan be approved by the City Plan Commission and City Council.

20.04.150 Procedure.

- D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.

1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and stormwater drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

Planning Staff has reviewed the detailed site development plan and recommends approval as it meets all of the requirements.

20.10.120 Carwash Facilities

A forty-foot minimum front yard setback and thirty-foot minimum rear yard setback shall be required, except that the main building shall be a minimum of one hundred feet from any residential or apartment use or district.

The proposed development meets or exceeds all required minimum setbacks for carwash facilities.

Plan El Paso- Future Land Use Map Designation

All applications for detailed site plan review shall demonstrate compliance with the following criteria:

G-4 – Suburban (Walkable): This sector applies to modern single use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

C-3 (Community Commercial): The purpose of the district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

COMMENTS:

Capital Improvements Department - Parks

We have reviewed Case # PZDS16-00002 a Detailed Site Development plan and on behalf of CID Parks Planning Division we offer Applicant/Consultant the following informational comments:

1. Need platting determination from planning & inspections – planning division.
2. If platting is required, during platting process, plat will be subject to parkland/park fees in accordance to proposed use.
3. Per detailed site development plan the proposed use is for a car wash or non-residential therefore, during platting process covenants will be required restricting all residential uses and park fees will be assessed at a rate of \$1000.00 per acre or portion thereof.

TXDOT

No comments received. George Dieter Drive is not a TXDOT right-of-way.

EPDOT:

No comments received.

Planning and Inspections Department – Plan Review

No objection proposed DSP. At the time of submittal for building permit the project will need to comply with all applicable provisions of the IBC, TAS and local municipal code.

Planning and Inspections Department - Land Development

We have reviewed subject plans and recommend that the applicant addresses the following comments.

1. Maximum driveway width allowed at ROW is 35’.
2. Add note on site plan: All developed storm water runoff shall be addressed within the subdivision limits and shall comply with all provisions of (DSC, 19.19.010A and DDM, 11.1).
3. Show proposed drainage flow patterns within this Subdivision.

Planning and Inspections Department - Landscape

No objection to proposed DSP. At the time of submittal for building permit the project will need to comply with all applicable provisions of the IBC, TAS and local municipal code.

Fire Department

Recommend Approval.

El Paso Water Utilities

e have reviewed the above referenced subdivision and provide the following comments:

1. EPWU-PSB Planning & Development Section does not object to this request.

Water:

2. There is an existing 24-inch diameter water main that extends along George Dieter Dr. located approximately 20 feet east of right-of-way centerline. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board (EPWU-PSB) Rules and Regulations.
3. There is an existing 8-inch diameter water main that extends along George Dieter Dr., located approximately 60 feet east of the right of way center line ending at the property’s southern boundary line. A loop water system extension from this main will be necessary to provide service to this property. The loop system is to connect to either of the mains described above. All water main extension costs are the responsibility of the Owner/Developer.
4. There is an existing 8-inch diameter water main that extends along Turner Dr. located approximately 10.5 feet south of right of way centerline. This main is available for service thru main extensions and will need to be looped with the 8-inch diameter water main on George Dieter Dr.
5. Previous water pressure readings from fire hydrant #8818 located approximately 56 feet south of the property’s southern boundary line, yielded a static pressure of 52 (psi), a residual pressure of 50 (psi), and a discharge of 919 gallons per minute.

Sanitary Sewer:

6. There is an existing 8-inch diameter sanitary sewer main that extends along Breckenridge Dr., located approximately 5 feet south of the right of way centerline. A sanitary sewer main extension from this main will be necessary to provide service to the subject property. All sanitary sewer main extension costs are the responsibility of the Owner/Developer.

General:

7. EPWU-PSB requires a service application for a new service to the property. New service

applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (EPWU-PSB) Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

El Paso Water Utilities-Stormwater Division

- EPWU recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff; we are glad you have implemented these features.
- After reviewing the property described above, we have no objections.

Sun Metro

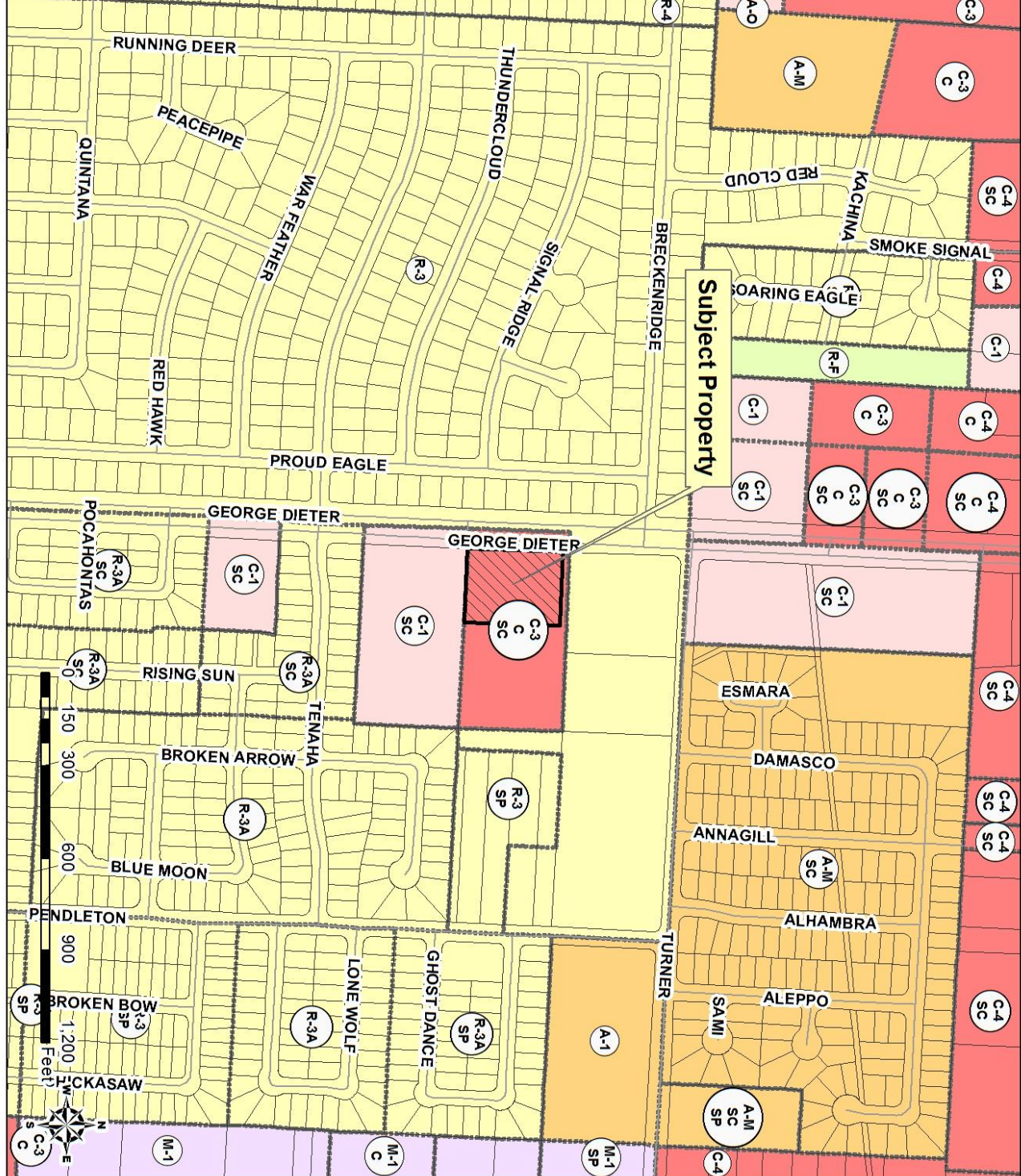
No Objections

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Ordinance No. 16719
6. Ordinance No. 9126

ATTACHMENT 1: ZONING MAP

PZDS16-00002

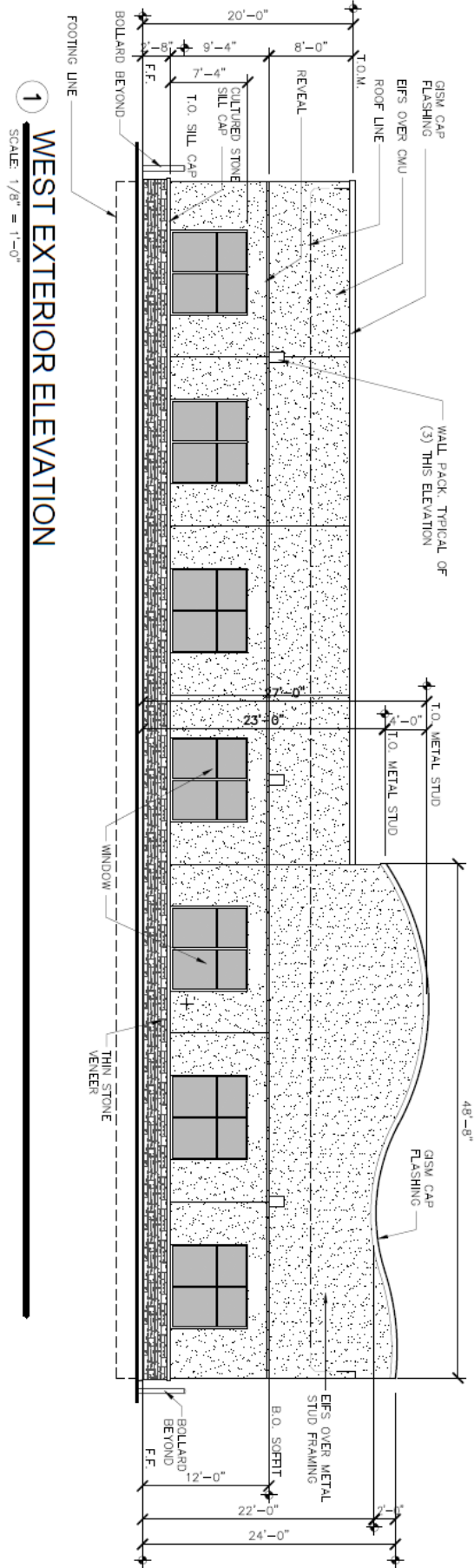


ATTACHMENT 2: AERIAL MAP

PZDS16-00002



ATTACHMENT 4: ELEVATIONS



ATTACHMENT 5: ORDINANCE NO. 16719

108

ORDINANCE NO. C16719

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 9, BLOCK 4, HUECO VIEW ACRES, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-1/SC (COMMERCIAL/SPECIAL CONTRACT) DISTRICT TO C-3/SC/C (COMMERCIAL/SPECIAL CONTRACT/CONDITIONS) DISTRICT, AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of a portion of Lot 9, Block 4, Hueco View Acres, City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from C-1/sc (Commercial/special contract) District to C-3/sc/c (Commercial/special contract/conditions) District, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

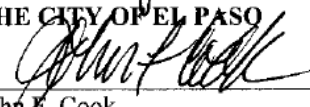
Further, that the property described above be subject to the following conditions which are necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

The following uses are strictly prohibited:

1. Automobiles, light trucks, buses, motorcycles and boats, sales, storage, rental and service;
2. Hotel, motel or motor lodge;
3. Transportation terminal;
4. Trailer, mobile home, travel trailer and recreational vehicle sales, display and repair;
5. Travel trailer or mobile home park;
6. Self-storage warehouse;
7. Outdoor flea market.

PASSED AND APPROVED this 14th day of August, 2007.

THE CITY OF EL PASO


John F. Cook
Mayor

ATTEST:


for Richarda Duffy Momsen
City Clerk

CITY CLERK DEPT.
07 JUL -9 PM 2:21

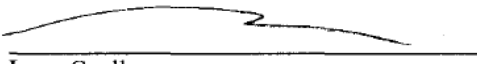
SIGNATURES CONTINUE ON FOLLOWING PAGE

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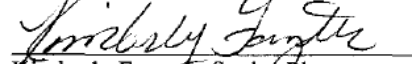
ORDINANCE NO. C16719

Zoning Case No: ZON07-00039

APPROVED AS TO FORM:


Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:


Kimberly Forsyth, Senior Planner
Development Services Department

CITY CLERK DEPT.
07 JUL -9 PM 2:21

Doc#31180 v2 - ZON07-00039/ORD/Rezoning Application/Conditions/LCUE

ORDINANCE NO. _____

016719

Zoning Case No: ZON07-00039

ATTACHMENT 6: ORDINANCE NO. 9126

009126

AN ORDINANCE CHANGING THE ZONING OF
LOTS 9 AND 10, BLOCK 4, HUECO VIEW ACRES SUBDIVISION,
THE PENALTY BEING AS PROVIDED IN
SECTION 20.68.010 OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of Lots 9 and 10, Block 4, Hueco View Acres
Subdivision, be changed from R-3 (Residential) to C-1
(Commercial) within the meaning of the zoning ordinance, subject
to a special contract placing certain restrictions, conditions
and covenants on the property, and that the zoning map of the
City of El Paso be revised accordingly.

PASSED AND APPROVED this 11th day of August,
1987.

Jonathan W. Riquelme

Mayor

ATTEST:
Carole Hunter
City Clerk

APPROVED AS TO FORM:

John R. [Signature]
Assistant City Attorney

APPROVED AS TO CONTENT:

Ray [Signature]
Department of Planning,
Research and Development

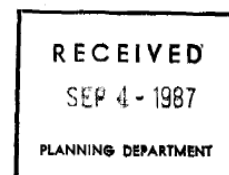
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reflect the amendment of ordinance #9126
By *Carl [Signature]* Date 9-17-87

NOTE: DEED FOR
30 FT. ADDITIONAL
R.O.W. FOR GEORGE
DIETER PR. IS NOT
ATTACHED TO THIS
ORD. R. GONZALEZ

1. CHECK THE FOLLOWING ZONING MAPS
9-17-87 #C.D.
9-17-87
9-17-87 Bldg. Inspection
9-17-87 CONTROL *[Signature]*

Contract 8-11-87
009126



THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

CONTRACT

THIS CONTRACT made this 11th day of August, 1987, by and between MICHAEL SHEARN, First Party, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for the rezoning of Lots 9 and 10, Block 4, Hueco View Acres Subdivision, City and County of El Paso, Texas. To remove certain objections to such rezoning, First Party covenants that if the property is rezoned from R-3 (Residential) to C-1 (Commercial) within the meaning of the zoning ordinance of the City of El Paso, it shall be subject to the following restrictions, conditions and covenants:

1. The property owner must dedicate thirty (30) feet of right-of-way for the widening of George Dieter Drive at the time the rezoning request is approved by the Mayor and City Council.
2. The property owner must improve George Dieter Drive to City standards within one (1) year from the date of this contract or upon demand by the City.
3. Prior to the issuance any building permits, a subdivision replat must be filed of record with the County Clerk.
4. Prior to the issuance of a certificate of occupancy, the property owner must provide a 15-foot wide landscaped strip adjacent to George Dieter Drive.
5. The property shall not be used for a bar, an adult book store, adult motion picture theatre, nude live entertainment club or amusement game complex.
6. Prior to the issuance of any building permits, a detailed site development plan must be approved by the City Plan Commission and the Mayor and City Council.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Party and its successors in title. Any future conveyance of the land shall contain this restriction, condition

and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity or necessitating the amendment of the ordinance passed by the City Council embodying this change of zoning and subject to this contract.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

FIRST PARTY:
MICHAEL SHEARN

Michael Shearn

SECOND PARTY:
THE CITY OF EL PASO

By [Signature]
Mayor

ATTEST:

[Signature]
City Clerk

APPROVED AS TO FORM:

[Signature]
Assistant City Attorney

APPROVED AS TO CONTENT:

[Signature]
Department of Planning,
Research and Development

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 1st
day of September, 1987, by MICHAEL SHEARN.

[Signature]
Notary Public, State of Texas

My Commission Expires:

9-23-89

SIGNATURES CONTINUED ON NEXT PAGE

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 14th
day of August, 1987, by JONATHAN W. ROGERS, as
Mayor of THE CITY OF EL PASO.

Billie Jean Branham
Notary Public, State of Texas

My Commission Expires:

6/30/88

ZNG2:5281.87

